



*Lea*  
**36908-122004**

***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***DECEMBER 20, 2004  
2:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA***

**1. Call to Order--Roll Call.**

The Invocation was delivered by Council Member Alfred T. Dowe, Jr.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

**NOTICE:**

Today's Council meeting will be replayed on Channel 3 on Thursday, December 23, 2004, at 7:00 p.m., and Saturday, December 25, 2004, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT [WWW.ROANOKEVA.GOV](http://WWW.ROANOKEVA.GOV), CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT [WWW.ROANOKEVA.GOV](http://WWW.ROANOKEVA.GOV), TO OBTAIN AN APPLICATION.

## **2. PRESENTATIONS AND ACKNOWLEDGEMENTS:**

Government Finance Officers Association Distinguished Budget Presentation Award.

**File #60-80-299**

A resolution congratulating the football team of the Virginia Polytechnic Institute and State University for winning the 2004 Atlantic Coast Conference Championship Title.

**Adopted Resolution No. 36908-122004. (7-0)  
File #258-388**

Shining Star Awards were presented to Randall Haigler and Brian McFarland.

**File #80**

**3. CONSENT AGENDA**

**Approved (7-0)**

**ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.**

- C-1 Minutes of the regular meeting of Council held on Monday, November 1, 2004.

**RECOMMENDED ACTION: Dispense with the reading of the minutes and approve as recorded.**

- C-2 A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended; and to interview applicants for four vacancies on the City Planning Commission.

**RECOMMENDED ACTION: Concur in the request.  
File #110-132-200**

- C-3 A communication from S. James Sikkema, Executive Director, Blue Ridge Behavioral Healthcare, requesting that Council ratify the appointment of Dana Barnes Lee as an at-large member of the Board of Directors.

**RECOMMENDED ACTION: Concur in the request.  
File #110-314-230**

### **REGULAR AGENDA**

#### **4. PUBLIC HEARINGS: NONE.**

#### **5. PETITIONS AND COMMUNICATIONS:**

- a. A communication from Mayor C. Nelson Harris requesting concurrence by Council in the adoption of a City policy with regard to procurement of art from the City Art Show.

**Adopted Resolution No. 36909-122004. (7-0)  
File #132-230-311**

#### **6. REPORTS OF OFFICERS:**

- a. CITY MANAGER:

##### **BRIEFINGS:**

Downtown Parking – Campbell  
Avenue and Luck Avenue Parking Garages – 10 Minutes

**File #20-553**

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of Virginia State Wireless E911 Services Board funds in the amount of \$140,148.42; and addition of two Public Safety Telecommunicators and one Communications Supervisor in the Department of Technology.

**Adopted Budget Ordinance No. 36910-122004. (7-0)  
File #60-188**

2. Acceptance of Workforce Investment Act funds in the amount of \$198,780.00 for Program Year 2004 from the Western Virginia Workforce Development Board.

**Adopted Budget Ordinance No. 36911-122004 and  
Resolution No. 36912-122004. (7-0)  
File #60-236-246**

3. Acceptance of the Employment Advancement for TANF Participants grant from the Virginia Department of Social Services in the amount of \$615,000.00; and appropriation of \$592,107.00.

**Adopted Budget Ordinance No. 36913-122004 and  
Resolution No. 36914-122004. (7-0)  
File #60-72-236**

4. Execution of a revised agreement with the Roanoke City School Board for continued operation of the Lucy Addison Middle School Fitness Center.

**Adopted Resolution No. 36915-122004. (7-0)  
File #67-467**

5. Execution of an agreement with Norfolk Southern Railway Company accepting donation of the SOU 51836 Flatcar.

**Adopted Resolution No. 36916-122004. (7-0)  
File #68-223-229**

6. Adoption of a resolution proclaiming support for the E911 Center to apply for a grant for national accreditation.

**Adopted Resolution No. 36917-122004. (7-0)  
File #188-236**

7. Adoption of a resolution concurring in adoption by the Western Virginia Water Authority of certain water and sewer connection policies, pursuant to Section 15.2-5137, Code of Virginia, 1950, and an ordinance amending the City Code to include the abovereferenced connection policies, effective January 1, 2005.

**Adopted Resolution No. 36918-122004 and  
Ordinance No. 36919-122004. (7-0)  
File #27-468**

8. Adoption of a resolution authorizing the City Manager to file a petition to rezone City-owned property located on Colonial Avenue, S. W., from RS-2, Single Family Residential District, to RPUD, Residential Planned Unit Development District, subject to certain conditions as set forth in the petition.

**Adopted Resolution No. 36920-122004. (7-0)  
File #51**

## **7. REPORTS OF COMMITTEES:**

- a. Request of the Roanoke City School Board for appropriation of \$494,136.00 for the 2004-2005 Flow Through program; and a report of the Director of Finance recommending that Council concur in the request. Kenneth F. Mundy, Executive Director of Fiscal Services, Spokesperson.

**Adopted Budget Ordinance No. 36921-122004. (7-0)  
File #60-467**

- b. Request of the Roanoke City School Board for approval of a State Literary Fund loan application for improvements to Westside Elementary School, in the amount of \$3.85 million; and a report of the Director of Finance recommending that Council concur in the request. Kenneth F. Mundy, Executive Director of Fiscal Services, Spokesperson.

**Adopted Resolution No. 36922-122004 and Resolution No. 36923-122004. (7-0)**  
**File #467**

**8. UNFINISHED BUSINESS: NONE.**

**9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:**

- a. A resolution authorizing the issuance of a \$439,100.00 General Obligation Qualified Zone Academy Bond (Fallon Park Elementary School), Series 2004, of the City of Roanoke, Virginia, to be sold to Bank of America, N.A., and providing for the form and details thereof. (Public hearing was held on Monday, December 6, 2004.)

**Adopted Resolution No. 36924-122004. (7-0)**  
**File #53-467**

**10. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor and Members of City Council.

**Council Member Cutler advised that former Council Member Linda F. Wyatt was awarded an Honorary Membership to The Roanoke Firefighters Association at the 38th Annual Banquet which was held on December 18, 2004, at the Clarion Hotel Roanoke Airport. He also advised that Tim Cady, Firefighter/EMT, and Dan Spearin, Firefighter/Paramedic, were named as Firefighters of the Year for their work in connection with the Swift Water Rescue Team.**

**File #70-80-132**

**Council Member Lea commended the City of Salem, host of the NCAA Stagg Bowl on Saturday, December 18, 2004.**

**File #80-388**

**The Mayor extended holiday greetings to all citizens of the Roanoke Valley.**

**File #80**

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

## **11. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**Mr. Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, spoke with regard to renovating and promoting the use of Victory Stadium.**  
**File #122**

**Ms. Helen E. Davis, 35 Patton Avenue, N. E., spoke in support of improved holiday decorations for the City of Roanoke for the 2005 holiday season.**

**File #175-132**



**Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., spoke in opposition to the proposed methadone clinic on Hershberger Road, N. W., the need for front screen doors on housing units at The Villages at Lincoln, increased water and sewer rates, and the renovation of Victory Stadium.**

**File #27-76-122-178-468**

## **12. CITY MANAGER COMMENTS:**

**The City Manager presented a summary of some of the accomplishments of City employees during calendar year 2004.**  
**File #80-184**

**CERTIFICATION OF CLOSED SESSION. (7-0)**

**Reappointed the following persons:**

**City Planning Commission  
File #15-110-200**

**Robert B. Manetta, Richard A. Rife, Paula L. Prince and Fredrick M. Williams for terms commencing January 1, 2005, and ending December 31, 2008.**

**Fifth Planning District  
Disability Services Board  
File #15-72-110-353**

**Carol Tuning for a term ending January 31, 2006.**

**THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL 7:00 P.M., IN THE CITY COUNCIL CHAMBER.**



***ROANOKE CITY COUNCIL  
REGULAR SESSION***

***DECEMBER 20, 2004  
7:00 P.M.***

***CITY COUNCIL CHAMBER***

***AGENDA***

**Call to Order -- Roll Call.**

The Invocation was delivered by Mayor C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

Welcome. Mayor Harris.

**NOTICE:**

The Council meeting will be televised live on RVTv Channel 3 to be replayed on Thursday, December 23, 2004, at 7:00 p.m., and Saturday, December 25, 2004, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

## **A. PUBLIC HEARINGS:**

1. Request of Bland A. and Betty J. Painter and FR-1 Investments, LLC, that 12 tracts of land located at the intersection of Franklin Road and Wonju Street, S. W., a portion of Norfolk Southern right-of-way and a portion of right-of-way owned by the Commonwealth of Virginia, be rezoned from C-2, General Commercial District, C-2, General Commercial District, with conditions, and LM, Light Manufacturing District, to INPUD, Institutional Planned Unit Development District, subject to certain conditions proffered by the petitioners. Maryellen F. Goodlatte, Attorney.

**Adopted Ordinance No. 36925-122004. (7-0)**  
**File #51**

2. Request of Carilion Medical Center, CHS, Inc., and B & B Holdings that property located on Reserve Avenue, Franklin Road, and Jefferson Street, S. W., be rezoned from HM, Heavy Manufacturing District, and C-1, Office District, to INPUD, Institutional Planned Unit Development District. Briggs W. Andrews, Spokesperson.

**Adopted Ordinance No. 36926-122004. (7-0)**  
**File #51**

3. Proposal of the City of Roanoke to convey approximately 23.742 acres, more or less, of City-owned property fronting on Colonial Avenue, S. W., identified as Official Tax No. 1570101, subject to certain terms and conditions as contained in a contract proposed to be entered into by the City and Colonial Green, L.C. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 36927-122004. (7-0)**  
**File #51**

4. Proposal of the City of Roanoke to extend the lease of a portion of City-owned property known as the Commonwealth Building, located at 210 Church Avenue, S. W., to the United States Government, General Services Administration. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 36928-122004. (7-0)**  
**File #166-524**

**B. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**Mr. Chris Craft, 1501 Eastgate Avenue, N. E., spoke with regard to improvements to Yeager Avenue, N. E.  
File #514**

**Mr. Robert Gravely, 727 29th Street, N. W., quoted Bible scripture.  
File #23-66**